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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/280,699	03/30/1999	TAKAHIRO MATSUMURA	990377	6201

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EXAMINER

CRAVER, CHARLES R

ART UNIT

PAPER NUMBER

2685

DATE MAILED: 05/08/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/280,699

Applicant(s)
Matsumura

Examiner
Charles Craver

Art Unit
2685

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Mar 8, 2002.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 4, 7, 10, and 16-21 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 4, 7, 10, and 16-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☒ All b) ☐ Some* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- *See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☐ Notice of References Cited (PTO-892) 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 20) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 4, 7, 10 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Braitberg et al. (5479479).

Claims 1, 4, 7 and 10. Braitberg discloses a telephone set identifying method and apparatus for utilizing a first section (208) for identifying a type of portable telephone set to which a data processing apparatus is coupled via a port (45, 204), comprising the steps of identifying the type of device attached (col 2 line 40-col 3 line 30), inherently comprising the type of communication employed by the device (col 4 lines 39-61):

Braitberg does not mention identifying the type of the portable telephone set based on a response with respect to an operation start signal which is output to a data interface part of the portable telephone set. However, Braitberg discloses means for identifying the type of the portable telephone set based on presenting a coded signal (col. 2 line 62 to col. 3 line 8 and col. 11 line 56 to col. 12 line 11). Therefore, it would have been obvious to one of ordinary skill in the art to modify Braitberg, by adding means for identifying the type of the portable telephone set based on a response with respect to an operation start signal in order to optimize system's

identification means for identifying the type of portable telephone sets and adopting the connector accordingly.

Claims 16-19. Braitberg discloses that the type of device includes the connection utilized by the device (col 4 lines 62-67).

Claim 21. Braitberg discloses a second portion which notifies the device type to the data processing apparatus (col 10 lines 31-67).

Response to Arguments

3. Applicant's arguments filed 2-25-02 have been considered but are not persuasive.

Regarding the added limitation stating that the type of phone device includes the communications protocol by which the device operates, the applicant asserts that the modified invention of Braitberg teaches only an adherence to a single protocol; in such an invention, the addition of a different type of device, that is, one which operates according to a different protocol, would thus not be recognized and communicated with by the adaptor device. As such, this means that the presence of a device which correctly interfaces with the interface would inherently indicate that a device of the proper protocol was connected, and thus the protocol of the device would inherently be identified.

Secondly, Braitberg discloses that the interface works with a number of different kinds of phone, be they analog or digital or a combination thereof, and as such the type of phone

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(i.e. Nokia model X digital) would inherently identify the type of communication system by which the phone operates.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles Craver whose telephone number is 703-305-3965. The examiner can normally be reached on Monday thru Friday: 9-18:30, off 1st Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ed Urban can be reached on 703-305-4385. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-6306 for regular communications and 703-308-6296 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.


Charles Craver

Examiner

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cc

May 2 2002


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SUPERVISORY PATENT EXAMINER
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